

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 16, 2009**

C-1 Call to Order / Roll Call - N/A

C-2 Announcement of Closed Session - N/A

C-3 Adjourn to Closed Session - N/A

C-4 Return to Open Session / Disclosure of Action - N/A

A. Call to Order / Roll call

The Regular City Council meeting of September 16, 2009, was called to order by Mayor Hansen at 7:02 p.m.

Present: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Absent: None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

NOTE: Council Member Johnson participated in the meeting via telephone conference call from 950 S. Fairmont Avenue, Lodi, for the entire meeting.

B. Invocation - Pastor Bill Cummins, Bear Creek Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards - None

D-2 Proclamations - None

D-3 Presentations

a) Presentation of Certificate of Recognition to the Lodi Appellation for its Participation with the City of San Francisco on the First Treasure Island Wine Festival, October 11, 2009

Mayor Hansen presented a Certificate of Recognition to Anna Goehring, Marketing Manager with the Lodi-Woodbridge Winegrape Commission, for its participation with the City of San Francisco on the first Treasure Island Wine Festival to be held October 11, 2009.

E. Consent Calendar (Reading; Comments by the Public; Council Action)

Mayor Hansen made a motion, second by Council Member Mounce, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian,

Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

E-1 Receive Register of Claims in the Amount of \$5,955,963.70 (FIN)

Claims were approved in the amount of \$5,955,963.70.

E-2 Approve Minutes (CLK)

The minutes of September 1, 2009 (Shirtsleeve Session), September 2, 2009 (Regular Meeting), and September 8, 2009 (Shirtsleeve Session) were approved as written.

E-3 Authorize City Manager to Execute Agreement with U.S. Department of Justice Community Oriented Policing Services (COPS) to Accept the COPS Hiring Recovery Program Grant to Fund Four Entry-Level Police Officer Positions for Three Years (\$1,430,676) (PD)

Authorized the City Manager to execute an agreement with the U.S. Department of Justice Community Oriented Policing Services (COPS) to accept the COPS Hiring Recovery Program Grant to fund four entry-level police officer positions for three years in the amount of \$1,430,676.

E-4 Consider Adjusting Purchase Price by \$32,151.01 of the \$355,000 Paid for 217 East Lockeford Street by the Eagles Hall (CA)

Council Member Hitchcock pulled this item for further discussion.

City Attorney Schwabauer briefly explained that there is a \$30,000 credit toward the purchase price due to a clean-up from a fire that occurred on the property some time ago, which was not known at the time of the sale.

Council Member Hitchcock made a motion, second by Council Member Mounce, to adjust the purchase price by \$32,151.01 of the \$355,000 paid for 217 East Lockeford Street by the Eagles Hall.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

E-5 Set Public Hearing for October 7, 2009, to Consider Reallocation of Available Urban County Community Development Block Grant and HOME Program Funding (CD)

Set public hearing for October 7, 2009, to consider reallocation of available Urban County Community Development Block Grant and HOME Program funding.

E-6 Set Public Hearing for October 21, 2009, to Consider Service and Route Modifications Due to State Budget Cuts for Local Transit Services (PW)

Set public hearing for October 21, 2009, to consider service and route modifications due to State budget cuts for local transit services.

F. Comments by the Public on Non-Agenda Items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Felix Huerta spoke regarding his concerns of transferring a position from one department to another department, the meet and confer process, and requested a meeting with the City Manager regarding the same.

Robin Rushing spoke regarding his concerns about the process associated with raising rates and the Proposition 218 public hearings. He also spoke regarding his concerns about State spending.

G. Comments by the City Council Members on Non-Agenda Items

Council Member Mounce requested that the mobile food vendor ordinance be brought to Council for discussion in light of the concerns regarding the number of vendors and parking. She also suggested the formation of a transit-oriented citizen committee to assist with transit challenges in the community. Mr. Schwabauer stated there is an existing ordinance that prohibits certain commercial vehicles from parking in residential areas.

Council Member Hitchcock reported on the success of test scores for Claremont Elementary School and the Lodi Unified School District.

Council Member Johnson stated he is disappointed that AFSCME is conducting labor negotiations in public in light of his previous involvement in the process and expressed his confidence in the Human Resources Manager's ability to address the matter.

Mayor Hansen reported on his attendance at meetings and specifically discussed renewable standards and the ability to subscribe to green energy outside the State of California.

H. Comments by the City Manager on Non-Agenda Items

City Manager King provided a brief status report regarding the California securitization efforts and the Healthy Cities Initiative and related event to be held on September 24, 2009. Mr King also stated he is confident that the requirements under the law were met by the meet and confer team with respect to the personnel issue referred to by Mr. Huerta.

I. Public Hearings - None

J. Communications

J-1 Claims Filed Against the City of Lodi - None

J-2 Appointments - None

J-3 Miscellaneous

a) Monthly Protocol Account Report (CLK)

Council Member Mounce made a motion, second by Council Member Hitchcock, to accept the cumulative Monthly Protocol Account Report through August 31, 2009.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K. Regular Calendar

K-1 Introduce Ordinance Amending Lodi Municipal Code Title 16 - Subdivisions - Chapter 12, "Parcel Maps," and Chapter 16, "Final Maps" (PW)

City Manager King briefly introduced the subject matter of Lodi Municipal Code Title 16.

Public Works Director Wally Sandelin provided a presentation regarding Title 16 of the Lodi Municipal Code. Mr. Sandelin described the relevant code section and the related support of the GIS system.

In response to Council Member Hitchcock, Mr. Sandelin stated the proposed ordinance reflects master marks in the City and adds consistency with the GIS mapping. Mr. Sandelin confirmed that this is the first time the marks and mapping are being brought forward in light of the advancement in technology.

In response to Mayor Hansen, Mr. Sandelin stated the control points are tied into the GIS mapping system.

In response to Council Member Mounce, Mr. Sandelin briefly reviewed the streets and control points discussed on the overhead map.

In response to Council Member Johnson, Mr. Sandelin stated the specialized service requires technical software in order to account for the earth's measurements and surface calculations.

Council Member Mounce made a motion, second by Mayor Pro Tempore Katzakian, to introduce Ordinance No. 1824 amending Lodi Municipal Code Title 16 - Subdivisions - Chapter 12, "Parcel Maps," and Chapter 16, "Final Maps."

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-2 Adopt Resolution Approving Grape Bowl Facility Renovation and/or Maintenance Fee Policy (PR)

City Manager King briefly introduced the subject matter of the Grape Bowl renovation and maintenance fee policy.

Interim Parks and Recreation Director Jim Rodems provided a presentation regarding the

proposed one dollar surcharge for the Grape Bowl facility. Specific topics of discussion included revenue generation for maintenance, industry mechanisms, deferred maintenance, proposed facility fee charge of \$1 for future events, League game exceptions, similar charges for other venues, and the terms of the policy.

In response to Council Member Mounce, Mr. Rodems stated Parks and Recreation Commission considered and approved the proposal.

In response to Council Member Hitchcock, Mr. Rodems stated the non-league games could generate approximately \$3,000 in revenue from the facility fee. He stated the fee would generally apply to anybody that charges a ticket for entry and there is no additional staffing recommended for administration or accounting.

In response to Mayor Hansen, Mr. Rodems stated staff met with the school district and the proposed fee sets a foundation for future events at the Grape Bowl.

Council Member Mounce requested a copy of the minutes from the Parks and Recreation Commission meeting at which the subject matter was discussed.

Council Member Mounce made a motion, second by Mayor Pro Tempore Katzakian, to adopt Resolution No. 2009-126 approving the Grape Bowl Facility Renovation and/or Maintenance Fee Policy.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-3 Status Report Regarding Energy Efficiency and Conservation Block Grant Funded Projects (EUD)

City Manager King provided a brief introduction to the subject matter of the Energy Efficiency and Conservation Block Grant.

Interim Electric Utility Director Ken Weisel provided a PowerPoint presentation regarding the Energy Efficiency and Conservation Block Grant. Specific topics of discussion included the American Recovery and Reinvestment Act, Grape Bowl lighting retrofit, Kofu Park community building, Community Center energy management system retrofit, Lodi computer server energy efficiency project, Lodi Keep Your Cool project, Lodi Lodging Pilot project, low-income customer refrigerator replacement program, Lodi Cool the Earth educational pilot project, home improvement rebate program, and the solar-powered trash compaction pilot project.

Interim Parks and Recreation Director Jim Rodems provided a PowerPoint presentation regarding the solar-powered trash cans. Specific topics of discussion included current operations, traditional trash cans, plan for solar-powered cans, solar-powered compacting cans, estimated labor savings, other savings, fuel savings, capital cost recovery, and actual capital outlay.

In response to Council Member Hitchcock, Mr. Rodems stated the current trash cans are grouped in heavily utilized areas in the park and the solar trash cans would help alleviate such groupings.

In response to Council Member Mounce, Mr. Rodems stated the program is being launched as a pilot program with grant funding and if there is sufficient savings a plan can be made for the

ongoing replacement of the cans.

In response to Council Member Mounce, Mr. Rodems stated staff will continue to monitor compaction and smell during the pilot program.

In response to Council Member Mounce, Mr. Rodems stated the solar cans will work on overcast days because the cans operate with ambient light.

In response to Council Member Mounce, Mr. Rodems confirmed that the economic stimulus funds and related programs were brought for consideration before the Parks and Recreation Commission, although there may not have been a formal vote on the matter.

In response to Mayor Hansen, Mr. Rodems stated the trash cans weigh approximately 300 lbs. and are bolted to the ground.

In response to Mayor Hansen, Mr. Rodems stated the trash cans are equipped with a scanning mechanism and staff receives electronic notification when the trash cans become full.

In response to Mayor Hansen, Mr. Lechner stated the "Cool the Earth" education campaign was successfully implemented by other utilities, educators are running the campaigns in the school sites directly, there are a variety of efforts associated with the kids learning and educating the parents, and there are homework assignments and contests associated with the program.

In response to Mayor Hansen, Mr. Lechner stated it is likely that all the money will be used for the low income replacement refrigerator program.

In response to Mayor Hansen, Mr. Weisel stated the proposed programs do not currently apply to green or renewable standards.

In response to Council Member Hitchcock, Mr. Lechner stated the program meets with the science curriculum for grades 4 through 6 and fits with the school programs.

In response to Mayor Hansen, Mr. Lechner confirmed that the money is one-time funding.

In response to Council Member Johnson, Mr. Lechner stated it is estimated that for every student that is impacted by the program the City can claim up to 600 kilowatt hours of credit.

Mayor Hansen suggested getting children involved with naming the new trash cans.

This item was for informational purposes only, specific action was not taken.

K-4 Consider Resolution Opposing Development of a Peripheral Canal and Expansion of State Authority over Local Land-Use Decisions (CM)

City Manager King gave a brief overview of the subject matter of the development of the peripheral canal and reasons to oppose the same as outlined in the Council Communication.

In response to Council Member Hitchcock, Mayor Hansen commented that he feels the matter is being brought forth now because there is a general recognition of how important the water is. Council Member Mounce stated that, based on comments from Southern California attendees at a recent conference, there is support for the canal in order to address additional growth.

Council Member Mounce made a motion, second by Mayor Hansen, to adopt Resolution No. 2009-127 opposing development of a peripheral canal and expansion of State authority over

local land-use decisions.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

L. Ordinances - None

M. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:53 p.m.

ATTEST:

Randi Johl
City Clerk